

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on February 16, 2005 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Jim Keane, Chairman (D)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Joe McKenney, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Bob Bergren (D)
Rep. Tim Dowell (D)
Rep. Kevin T. Furey (D)
Rep. Dave Gallik (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Harry Klock (R)
Rep. Scott Mendenhall (R)
Rep. Mike Milburn (R)
Rep. Don Roberts (R)
Rep. Wayne Stahl (R)
Rep. Dan Villa (D)

Members Excused:

Rep. Jonathan Windy Boy (D)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 677, 2/11/2005; HB 638,
2/11/2005; HB 533, 2/11/2005; HB
534, 2/11/2005; HB 563, 2/11/2005
Executive Action: HB 638, HB 468, HB 494, HB 521, HB
549

HEARING ON HB 677

Opening Statement by Sponsor:

REP. CHRISTINE KAUFMANN (D), HD 81, opened the hearing on **HB 677**,
Revise and increase minimum wage.
00:03:12

Proponents' Testimony:

00:09:22 **REP. CAROL JUNEAU, HD 16, BROWNING**
00:10:16 Linda Gryczan, Montana's Women's Lobby
00:12:09 Judy Smith, Low Income Advocacy Program
00:13:46 Gene Fenderson, Montana Laborers
00:14:40 Terry Kendrick, Montana Human Rights Council
00:16:23 Bob Ream, Montana Democratic Party
00:18:12 Kim Abbott, WEEL
00:18:57 Don Judge, Teamsters Local 190
00:20:29 Betty Beverly, Senior Citizens Association
00:21:29 Terri Minow, MEA-MFT

Opponents' Testimony:

00:22:05 Brad Griffin, Montana Retail Association
00:22:40 Barbara Ranf, Montana Chamber of Commerce
EXHIBIT(buh38a01)
00:24:07 Riley Johnson, Federation of Independent Business
00:25:15 Charles Brooks, Billings Chamber of Commerce
00:27:47 Rhonda Carpenter Wiggers, Great Falls Chamber of
Commerce

Informational Testimony:

00:30:01 Brad Eldredge, Department of Labor and Industry

Questions from Committee Members and Responses:

00:30:28

Closing by Sponsor:

00:33:23

HEARING ON HB 638

Opening Statement by Sponsor:

REP. ELSIE ARNTZEN (R), HD 53, opened the hearing on **HB 638**,
Revise barber and cosmetology law.

00:38:05__

EXHIBIT(buh38a02)____

Proponents' Testimony:

00:40:37 Bertha Kauf, Hairdresser from Billings

EXHIBIT(buh38a03)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:48:01

HEARING ON HB 533

Opening Statement by Sponsor:

REP. DAVE GALLIK (D), HD 79, opened the hearing on **HB 533**,
Medical privacy for work comp claimants.

00:49:34

Proponents' Testimony:

00:51:46 Norm Newhall, Workers Compensation Attorney

EXHIBIT(buh38a04)

00:58:24 Jed Fitch, Montana Trial Lawyers Association

00:59:57 Don Judge, Teamsters Local 190

Opponents' Testimony:

01:02:04 Larry Jones, Liberty Northwest

01:08:03 Nancy Butler, State Fund

01:09:38 Jacqueline Lenmark, American Insurance Association

01:12:48 George Wood, Self Insurers Association

01:14:59 Aidan Myhre, Employers Insurers Group

01:15:42 Gary Forrester, Contractors Association

01:15:58 Spook Stang, Motor Carriers Association

01:16:17 Bob Worthington, Municipal Insurance Group

01:16:47 Jason Todhunter, Logging Association

01:17:03 Barbara Ranf, Montana Chamber of Commerce

Informational Testimony:

01:17:25 Jerry Keck, Department of Labor and Industry

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:17:54

REP. WINDY BOY entered the room.

HEARING ON HB 534

Opening Statement by Sponsor:

REP. DAVE GALLIK (D), HD 79, opened the hearing on HB 534,
Include mental injuries in work comp definition.

01:21:52

Proponents' Testimony:

01:25:28 Sydney McKenna, Workers Compensation Attorney

[EXHIBIT \(buh38a05\)](#)

01:29:50 Ed Zerbst, Self

01:33:27 Bob Deaton, Employee Assistance Counselor

[EXHIBIT \(buh38a06\)](#)

01:39:10 Greg Hintz, Missoula County Sheriffs Office

[EXHIBIT \(buh38a07\)](#)

01:41:10 Jim Smith, Montana Peace Officers Association

01:43:34 David Phillips, Cascade County Sheriffs Office

01:44:03 Jed Fitch, Trial Lawyers Association

[EXHIBIT \(buh38a08\)](#)

01:45:15 Beda Lovitt, Psychiatric Association

Opponents' Testimony:

01:46:11 Nancy Butler, State Fund

01:49:05 Larry Jones, Liberty Northwest

01:57:42 Gary Forrester, Contractors Association

01:58:11 Doug Nulle, Self

02:03:10 Bob Worthington, Montana Municipal Insurere

02:04:26 Jacqueline Lenmark, American Insurance Association

02:04:45 George Wood, Self Insurers Association

02:05:01 Barbara Ranf, Montana Chamber of Commerce

02:05:20 Spook Stang, Motor Carriers Association

02:05:37 Jason Todhunter, Logging Association

02:05:53 Charles Brooks, Billings Chamber of Commerce

Informational Testimony:

02:06:18 Jerry Keck, Department of Labor

Questions from Committee Members and Responses:

02:06:32

Closing by Sponsor:

02:17:27

HEARING ON HB 563

Opening Statement by Sponsor:

REP. TIM DOWELL (D), HD 8, opened the hearing on HB 563,
Pharmaceutical market reform.

02:41:40

[EXHIBIT \(buh38a09\)](#) _____

Proponents' Testimony:

02:45:58 Eric Stearn, Governor's Office

02:49:05 Betty Beverly, Senior Citizens Association

[EXHIBIT \(buh38a10\)](#)

02:56:31 Dr Liz Gunderson, Doctor in Helena

02:58:26 Bed Lovitt, Medical Association

02:59:53 Claudia Clifford, AARP

[EXHIBIT \(buh38a11\)](#)

Opponents' Testimony:

03:01:55 Spencer Guthrie, PHRMA Trade Association

03:09:25 Blair Williams, Big Fish Public Relations

03:15:54 Norman Glueckert, Self

[EXHIBIT \(buh38a12\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

03:16:45

Closing by Sponsor:

03:30:02

[EXHIBIT \(buh38a13\)](#) (Turned in after hearing)

EXECUTIVE ACTION ON HB 638

Motion: REP. MENDENHALL moved that HB 638 DO PASS.

Discussion:

03:33:40

Vote: Motion carried 17-1 by voice vote with REP. GALLIK voting no.

EXECUTIVE ACTION ON HB 468

Motion: REP. VILLA moved that HB 468 DO PASS.

Motion: REP. GALLIK moved that HB 468 BE AMENDED.

Discussion:

03:38:18

[EXHIBIT](#) (buh38a14)

Vote: Motion carried 15-3 by voice vote with REPS. ARNTZEN, MCKENNEY, and MENDENHALL voting no.

Motion: REP. VILLA moved that HB 468 DO PASS AS AMENDED.

Discussion:

03:42:33

Without objection REP. VILLA withdrew his motion for later consideration.

EXECUTIVE ACTION ON HB 494

Motion: REP. GALVIN-HALCRO moved that HB 494 DO PASS.

Discussion:

03:55:59

[EXHIBIT](#) (buh38a15)

Vote: Motion failed 8-10 by voice vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, VILLA, and WINDY BOY voting aye.

Motion/Vote: REP. GALVIN-HALCRO moved that HB 494 BE TABLED AND THE VOTE REVERSED. Motion carried 10-8 with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, VILLA, and WINDY BOY voting no.

EXECUTIVE ACTION ON HB 521

Motion: REP. FUREY moved that HB 521 DO PASS.

Motion: REP. FUREY moved that HB 521 BE AMENDED.
[EXHIBIT](#) (buh38a16)

Vote: Motion carried unanimously by voice vote.

Motion: REP. FUREY moved that HB 521 DO PASS AS AMENDED.

Discussion:
04:06:17

Vote: Motion carried 10-8 by roll call vote with REPS. ARNTZEN, HEINERT, KEANE, MCKENNEY, MENDENHALL, MILBURN, ROBERTS, and STAHL voting no.

EXECUTIVE ACTION ON HB 549

Motion: REP. GALLIK moved that HB 549 DO PASS.

Motion: REP. GALLIK moved that HB 549 DO PASS AS AMENDED.

Discussion:
04:13:51
[EXHIBIT](#) (buh38a17)

Vote: Motion carried 16-2 by voice vote with REPS. MCKENNEY and MENDENHALL voting no.

Motion: REP. GALLIK moved that HB 549 DO PASS AS AMENDED.

Discussion:
04:17:14

Vote: Motion carried 14-4 by roll call vote with REPS. ARNTZEN, MCKENNEY, MENDENHALL, and MILBURN voting no.

ADJOURNMENT

Adjournment: 12:25 P.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

EXHIBIT ([buh38aad0.PDF](#))